

**United States Environmental Protection Agency  
Criminal Investigation Division  
Investigative Activity Report**

**Investigation Number:**  
00810-0701

**Reporting Office:**  
St. Louis, MO, Resident Office

**Investigation Name:**  
Green America Recycling (Continental Cement Company)

**Activity Date:**  
06/18/2020

**Subject of Report:**  
Mine Safety and Health Administration Investigation

**Reporting Official and Date:**  
(b)(6)(b)(7)(C)  
Special Agent  
02 Dec 2020, Signed by: (b)(6)(b)(7)(C)

**Approving Official and Date:**  
(b)(6)(b)(7)(C)  
Assistant Special Agent in Charge  
03 Dec 2020, Approved by (b)(6)(b)(7)(C)  
Assistant Special Agent in Charge

**DETAILS:**

On July 16, 2020 I, SA (b)(6)(b)(7)(C), EPA-CID, St. Louis Resident Office conducted an interview with (b)(6)(b)(7)(C), Inspector, Department of Labor's (DOL), Mine Safety and Health Administration (MSHA) at the Public Library in Pacific, MO.

(b)(6), (b)(7)(C) stated, on April 11, 2020, CCC/GAR reported an explosion had occurred at 10107 MO-79, Hannibal, Missouri, 63401 at the TSD/processing facility for CCC/GAR to Department of Labor's (DOL), Mine Safety and Health Administration (MSHA). MSHA is the federal safety and health regulatory body over CCC/GAR as the facility is considered a working mine. Hart said CCC/GAR reported the incident as a dust explosion to MSHA which occurred in a "shredder area."

(b)(6), (b)(7)(C) stated (b)(6), arrived on April 11, 2020 and after an initial evaluation of the facility, (b)(6)(b)(7)(C) believed it was likely not a dust explosion. (b)(6)(b)(7)(C) informed (b)(6), (b) management team, who later made notification to Missouri Department of Natural Resources (MDNR). MDNR determined the facility was a permitted TSD facility and initiated their investigation on the explosion cooperatively with MSHA.

(b)(6), (b)(7)(C) stated (b)(6), conducted a preliminary investigation into the explosion and found it was caused by a mislabeled drum which contained explosive material that should have been classified as reactive hazardous waste (D003). According to (b)(6)(b)(7)(C), the drum exploded after it was put in a metal drum shredder called the "quad-shredder" at GAR. In addition to the drum that exploded, (b)(6), (b)(7)(C) said (b)(6), identified two other drums on-site that are mislabeled and contain reactive hazardous waste (the mislabeled drums containing reactive hazardous waste will hereinafter be referred to as "suspect drums").

(b)(6)(b)(7)(C) stated (b)(6), interviewed CCC/GAR employees and multiple miners stated they were not

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trained on the standard operating procedures for handling and receiving hazardous waste. According to (b)(6)(b)(7)(C), the employees/miners responsible for receiving the hazardous waste inside the suspect drums did not thoroughly inspect the suspect drums containing the reactive hazardous waste. (b)(6)(b)(7)(C) (b)(6)(b)(7)(C). (b)(6)(b)(7)(C) the crew tasked with disposal did not process the suspect drums and they remained for four additional shifts. The employees noted to (b)(6)(b)(7)(C) the suspect drums were punctured and overpacked (a 35-gallon drum within a 60-gallon drum). Additionally, (b)(6) stated some of the suspect drums displayed explosive markings and placards covered by paint. (b)(6)(b)(7)(C) stated the employees who finally treated the suspect drum only placed it into the shredder bin process because they ran out of all drum waste to dispose. Shortly after the first suspect drum was placed in the shredder on April 11, 2020, the explosion occurred.

I was advised by (b)(6)(b)(7)(C) two additional suspect drums (post explosion) were located on site and confirmed from the same shipment by matching the drums to the detonated one. (b)(6)(b)(7)(C) advised (b)(6)(b) discovered the remaining suspect drums had been previously identified, located, and tested by CCC/GAR's onsite lab on April 11, 2020 (prior to his arrival), however, the results were inconclusive because CCC/GAR's testing equipment was not calibrated to detect reactivity in hazardous waste.

(b)(6)(b)(7)(C) stated the Bureau of Alcohol, Tobacco, and Firearms (ATF) and GAR both conducted laboratory analyses of the samples, which were taken by GAR from the remaining suspect drums. (b)(6)(b)(7)(C) stated MSHA has a contract with the ATF to conduct all their sampling and lab analyses. ATF internally analyzed the samples while GAR had the samples analyzed by a third-party lab. (b)(6)(b)(7)(C) stated both labs confirmed the samples of the material in the remaining suspect drums were pure GAP-5527.

(b)(6)(b)(7)(C) confirmed CCC/GAR had received reactive waste (D003). (b)(6)(b)(7)(C) conducted a full inventory of all waste remaining on site and compared it against inventory documents provided by CCC/GAR. This inventory took approximately 4 – 6 weeks starting in June 2020 and revealed poor inventory standards and mismanagement. (b)(6)(b)(7)(C) stated CCC/GAR had inaccuracies with both computer generated and handwritten records as they were comingled in CCC/GAR's inventory process. (b)(6)(b)(7)(C) further noted, (b)(6)(b) found several inventory errors and failures to properly document what had been received, treated, and disposed of. After (b)(6)(b)(7)(C) conducted the extensive inventory and search, a missing drum of GAP-5527 (D003) could not be accounted for by CCC/GAR. (b)(6)(b)(7)(C) subsequently contacted ATF and Ralls County Sheriff's Office to file a report. Ralls County Sheriff's Officer prepared a police report for Missing/Lost Explosives per #2020-3184. The investigation into the missing drum of explosives remains active.

(b)(6)(b)(7)(C) (MSHA) stated (b)(6)(b) received a Uniform Hazardous Waste manifest from GAR, reflecting the suspect drums containing the D003 hazardous waste were received from Clean Earth, a TSD facility located in Kentucky.

(b)(6)(b)(7)(C) stated (b)(6)(b) would keep me informed as to the progress of (b)(6)(b) investigation.

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I concluded the interview.

**ATTACHMENT(S):**

1. Drum Incoming Load Info
2. Explosion Vents Photo/Information
3. GAR Explosion Videos
4. GAR Explosion Videos
5. GAR (MSHA) Photos
6. GAR Hydropulper Information from MSHA
7. GAR (MSHA) Inventory Information
8. ATF Lab Analysis of GAP 5527
9. MSHA Enforcement Photos
10. MSHA Enforcement Photos
11. MSHA Enforcement Photos
12. MSHA Enforcement Photos
13. MSHA Enforcement Photos
14. MSHA Enforcement Photos
15. MSHA Enforcement Photos
16. MSHA Enforcement Photos
17. MSHA Enforcement Photos
18. MSHA Enforcement Photos
19. MSHA Enforcement Photos
20. MSHA Enforcement Photos
21. MSHA Enforcement Photos
22. HW Manifest
23. Material Processed Information from GAR
24. 3rd Party Analytical Data of material provided by GAR